

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

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CENTEX HOMES,

Plaintiff,

VS.

ST. PAUL FIRE AND MARINE INSURANCE COMPANY, a Connecticut corporation; EVEREST NATIONAL INSURANCE COMPANY, a Delaware corporation; INTERSTATE FIRE & CASUALTY COMPANY; an Illinois corporation; LEXINGTON INSURANCE COMPANY, a Delaware corporation; FEDERAL INSURANCE COMPANY; an Indiana corporation; and ADMIRAL INSURANCE COMPANY, a New Jersey Corporation,

Defendant.

Before the Court is *Centex Homes v. St. Paul Fire and Marine Insurance Company, et al.*, case number 2:17-cv-02407-JAD-VCF.

Centex timely submitted to chambers for *in camera* review documents identified in the attached “Privilege Log Updates 11/28/18.” The first five items on the log all reference the same bates number, LEX 0344. This is because there were five separate redactions on the same page produced by Lexington. The court has appended numbers (1) through (5) to the log for ease of reference in this order.

In a cover letter for the delivery of these documents, counsel for Lexington stated that it has agreed to disclose as unredacted LEX 0344(5) and LEX 0346. After reviewing the entire *in camera* submission, the court finds that the redacted information designated LEX (1 - 4) is not relevant to any claim or defense and need not be produced in an unredacted form. Similarly, the premium information redacted from the documents beginning with LEX 0712 through the end of the attached privilege log is irrelevant to any claim or defense and need not be produced.

The court finds that information redacted from the following documents is relevant to a claim or defense and are not privileged: LEX 0344(5), LEX 0345, LEX 0346, LEX 0567-0568, LEX 0568-0570, LEX 0571, LEX 0572 and LEX 0574-0583.

Accordingly, IT IS HEREBY ORDERED that, on or before May 9, 2019, Lexington must deliver to Centex unredacted copies of LEX 0344(5), LEX 0345, LEX 0346, LEX 0567-0568, LEX 0568-0570, LEX 0571, LEX 0572 and LEX 0574-0583.

DATED this 2nd day of May, 2019.

Carl Radcliffe

CAM FERENBACH  
UNITED STATES MAGISTRATE JUDGE

*Centex Homes v. St. Paul Fire & Marine Ins. Co., et al. (Kachnik)*  
 U.S. District Court Case No. 2:17-CV-02407-JAD-VCF  
 Lexington's Privilege Log Updated 11/28/18

DATE	BATES NUMBERS	DOCUMENT	FROM	TO	PRIVILEGE / BASIS
	LEX 0344 (1)	Claim notes regarding reserves			Not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Confidential and proprietary business information and trade secrets.
	LEX 0344 (2)	Claim note pertaining to communication with counsel			Not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Confidential communication protected by the attorney-client privilege and/or the attorney work-product doctrine.
	LEX 0344 (3)	Claim note pertaining to communication with counsel			Not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Confidential communication protected by the attorney-client privilege and/or the attorney work-product doctrine.
	LEX 0344 (4)	Claim notes regarding reserves			Not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Confidential and proprietary business information and trade secrets.
	LEX 0344 (5)	Claim note pertaining to named insured claim handling-related information			Third-party privacy. Not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Confidential and proprietary business information and trade secrets.
	LEX 0345	Claim note regarding named insured tender			Third-party privacy and attorney-client privileged. Not relevant and not reasonably calculated to lead to the discovery of admissible evidence.
	LEX 0346	Claim note pertaining to the named insured and applicable claim handling			Third-party privacy. Not relevant and not reasonably calculated to lead to the discovery of admissible evidence. Confidential and proprietary business information and trade secrets.

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DATE	BATES NUMBERS	DOCUMENT	FROM	TO	PRIVILEGE / BASIS
10/1/14	LEX 0567-0568	Letter from Desert Plastering's Counsel to Lexington	James Murphy	Rebecca Fowler	Third-party privacy. Confidential communication protected by the attorney-client privilege and/or the attorney work-product doctrine.
10/2/14	LEX 0569-0570	Letter from Desert Plastering's Counsel to Lexington	James Murphy	Rebecca Fowler	Third-party privacy. Confidential communication protected by the attorney-client privilege and/or the attorney work-product doctrine.
10/3/14	LEX 0571	Letter from Desert Plastering's Counsel to Lexington	James Murphy	Rebecca Fowler	Third-party privacy. Confidential communication protected by the attorney-client privilege and/or the attorney work-product doctrine.
11/3/14	LEX 0572	Letter from Desert Plastering's Counsel to Lexington	James Murphy	Rebecca Fowler	Third-party privacy. Confidential communication protected by the attorney-client privilege and/or the attorney work-product doctrine.
09/02/15	LEX 0574-0583	Letter to Lexington from Desert Plastering's Counsel to Lexington	Laura Boezeman-Farias	Lexington	Third-party privacy. Confidential communication protected by the attorney-client privilege and/or the attorney work-product doctrine.
	LEX 0712	Premium Information			Third-party privacy. Confidential and proprietary business information and trade secrets. Not relevant or reasonably calculated to lead to the discovery of admissible evidence
	LEX 0716	Premium Information			Third-party privacy. Confidential and proprietary business information and trade secrets. Not relevant or reasonably calculated to lead to the discovery of admissible evidence
	LEX 0754	Premium Information			Third-party privacy. Confidential and proprietary business information and trade secrets. Not relevant or reasonably calculated to lead to the discovery of admissible evidence

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DATE	BATES NUMBERS	DOCUMENT	FROM	TO	PRIVILEGE / BASIS
	LEX 0764	Premium Information			Third-party privacy. Confidential and proprietary business information and trade secrets. Not relevant or reasonably calculated to lead to the discovery of admissible evidence
	LEX 0771	Premium Information			Third-party privacy. Confidential and proprietary business information and trade secrets. Not relevant or reasonably calculated to lead to the discovery of admissible evidence
	LEX 0773	Premium Information			Third-party privacy. Confidential and proprietary business information and trade secrets. Not relevant or reasonably calculated to lead to the discovery of admissible evidence
	LEX 0803	Premium Information			Third-party privacy. Confidential and proprietary business information and trade secrets. Not relevant or reasonably calculated to lead to the discovery of admissible evidence
	LEX 0806	Premium Information			Third-party privacy. Confidential and proprietary business information and trade secrets. Not relevant or reasonably calculated to lead to the discovery of admissible evidence
	LEX 0823	Premium Information			Third-party privacy. Confidential and proprietary business information and trade secrets. Not relevant or reasonably calculated to lead to the discovery of admissible evidence
	LEX 0825	Premium Information			Third-party privacy. Confidential and proprietary business information and trade secrets. Not relevant or reasonably calculated to lead to the discovery of admissible evidence

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DATE	BATES NUMBERS	DOCUMENT	FROM	TO	PRIVILEGE / BASIS
	LEX 0876-0878	Premium Information			Third-party privacy. Confidential and proprietary business information and trade secrets. Not relevant or reasonably calculated to lead to the discovery of admissible evidence
	LEX 0880-0881	Premium Information			Third-party privacy. Confidential and proprietary business information and trade secrets. Not relevant or reasonably calculated to lead to the discovery of admissible evidence